



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

Paper No. _____

Notice of Non-Compliant Amendment (Voluntary Revised Practice)

The amendment filed 5-1-03 under the voluntary revised amendment practice guidelines¹, published in the Official Gazette on February 25, 2003 (*Amendments in a Revised Format Now Permitted*, 1267 Off. Gazette 106), does not fully comply with minimal requirements of the voluntary practice. In order for the amendment to be entered, it must either (1) comply with the guidelines of the voluntary revised amendment practice (which practice invokes waivers of certain 37 CFR 1.121(a)-(d) requirements) or (2) comply with current 37 CFR 1.121 requirements.

THE FOLLOWING ITEM(S) IN APPLICANT'S AMENDMENT CAUSES THE AMENDMENT TO BE NON-COMPLIANT WITH THE VOLUNTARY REVISED AMENDMENT PRACTICE.

- 1. A complete listing of all of the claims is not present in the amendment paper.
- 2. The listing of claims does not include the text of all claims currently under examination.
- 3. The claims of this amendment paper have not been presented in ascending numerical order.
- 4. Each claim has not been provided with a status identifier, and, as such, the individual status of each claim cannot be determined.
- 5. Other: _____

LIE: Check one of the following boxes:

- PRELIMINARY AMENDMENT:** Applicant is given ONE MONTH from the mail date of this letter to re-submit the amendment in compliance with either the guidelines of the revised amendment practice or current 37 CFR 1.121. Failure to comply with either the current 37 CFR 1.121 practice or with the voluntary practice will result in non-entry of the amendment and examination on the merits will commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be a *bona fide* response, applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit an amendment which complies with either the voluntary practice guidelines or current 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).

I Signed by Team Leader

Team Leader

¹ For further explanation of the guidelines of the revised amendment format, please see the posted notice and sample amendment format at <http://www.uspto.gov/web/offices/pac/dapp/opia/preognotice/officeflyer.pdf> and <http://www.uspto.gov/web/offices/pac/dapp/opia/preognotice/formatrevandprac.pdf>

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Attorneys at Law **FAX RECEIVED**

FAX INFORMATION SHEET

MAY 02 2003

GROUP 1600

OFFICIAL

Date: May 1, 2003

ID Number: 61297

Identifier: 126233.601

Recipient TC1600 (Examiner Christopher J. Nichols)
Company: USPTO

Recipient's General Number: 703-872-9305
Recipient's Fax Number(s): 703-872-9306

Sender: Raymond A. Miller, Reg. No. 42,891 **RETURN FAX TO**
Sender's Direct Line: 412-454-5813 **K. PUJOL**
Sender's Email Address: millerr@pepperlaw.com

Total Pages Including Cover: 16/11

Comments: Attached is a Amendment and Response to Office Action for Serial No. 09/891,023.

An original or a copy has [] or has not [✓] been sent to you by mail [] or by overnight service [] or by email [].

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Start Time: : am [] pm []

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CERTIFICATE OF FACSIMILE UNDER 37 C.F.R. § 1.10

SERIAL NO. 09/891,023
TITLE: A PERIPHERAL MARKER OF BLOOD BRAIN BARRIER
PERMEABILITY
FILING DATE: June 25, 2001
APPLICANT: Janigro, et al.
ATTORNEY 126233.601
DOCKET NO.
DATE OF May 1, 2003
FACSIMILE

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING SENT VIA FACSIMILE
UNDER 37 C.F.R. § 1.6 AND 1.8 ON THE DATE INDICATED ABOVE AND IS
ADDRESSED TO EXAMINER NICHOLS, 703-872-9306, TECHNOLOGY CENTER 1600,
ASSISTANT COMMISSIONER OF PATENTS, WASHINGTON, DC 20231.

Kathleen Pujol

(Typed or printed name of person faxing paper or fee)



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